

APPROVED: Meeting No. 35-80

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
MEETING NO. 34-80

August 25, 1980

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, August 25, 1980, at 8:00 p.m.

PRESENT

Mayor pro-tem Phyllis Fordham

Councilman Steve Abrams

Councilman John Freeland

Councilman John Tyner

ABSENT

Mayor William E. Hanna, Jr.  
(on travel leave)

The Mayor pro-tem in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan; City Attorney Roger Titus; Director of Public Works Robert Goodin; Public Information Officer Sue M. Patterson; Director of Finance John Lawton; Director of Planning James M. Davis.

Re: City Manager's Report

Mr. Blick reported the following:

1. Program Open Space Projects were approved by the Maryland Public Works on August 20 for a commitment of funds for Phase II grants for North Farm, Horizon Hill, James Monroe, and Rockmead Parks.
2. The railroad crossing at Frederick Avenue will close September 2 to vehicular traffic, if the Park Road underpass is open to four lanes and if WMATA can maintain a pedestrian crossing until the pedestrian overpass is complete.
3. Renovations under the City's Block Grant Program are almost complete at 109 North Adams Street. 107 North Adams Street received a building permit to start renovations. Behind 109, two small buildings, a 6200 square feet and 7200 square feet, will be constructed.

Re: Award of Contract: Bid No. 3-81  
Backhoe and Front-end loader

Bids were opened in the Contract Office, City Hall, at 3:00 p.m., July 30, 1980, for a tractor with backhoe and front-end loader.

The bids were as follows:

State Equipment Co., Sterling, VA	Int. Harvester	\$24,275.00
Gateway Ford Tractor Co., Upper Marlboro, MD	Ford	24,310.00
Suit & Wells Co., Upper Marlboro, MD	Case	24,794.00
Gaithersburg Ford Tractor Co., Gaithersburg	Ford	25,275.00
Vernon E. Stup Co., Frederick, MD	Case	25,459.00
Gardner Equipment Co., Waldorf, MD	Deere	26,700.00
Maryland Machinery Co., Glen Burnie, MD	JCB	28,600.00
Mid Atlantic Equipment Co., Fairfax, VA	Deere	28,950.00
Tidewater Tractor Co., Wye Mills, MD	Ferguson	32,785.64
Fairplain Tractor Co., Ripley, W. VA	Ferguson	32,998.50

The International and Ford tractors (State Equipment and Gateway) fall short of specifications. Therefore, staff recommends an award to Suit & Wells for JI Case Model, as the model most nearly meeting or exceeding each of the 63 detailed specifications, for \$24,794.00. \$26,500.00 was encumbered in FY 1980 for a backhoe replacement.

Councilman Abrams asked where the losing bidders deviated from the specifications. Mr. Goodin explained most of the deviation was in the transmission.

On motion of Councilman Freeland, duly seconded and unanimously passed, Bid No. 3-81, for a backhoe tractor, was awarded to Suit & Wells Co., in the amount of \$24,794.00.

Re: Award of Contract: Bid No. 7-81,  
Storm water management - Mt. Vernon  
Place

Bids were opened on Tuesday, August 12, 1980, at 3:00 p.m., in the City Hall Council Chambers for the construction of a storm water management pond, including landscaping, in Mount Vernon Park. The site is located on the north side of Mt. Vernon Place adjacent to Richard Montgomery High School. The project was authorized under the General Fund. The bid also covers a CDBG project for placing gabions in Elwood Smith Park, along the stream on the opposite side of Mt. Vernon Place from the above park site. This work is being performed under a CDBG project authorization for the Monroe/Lynfield CDGB area.

The projects have a total authorization of \$93,256. The contract was set up in a manner which provided separate bid prices for application against the two separate funding sources and also to identify that part of the project subject to Federal funding regulations. The bid however has only one total aggregate price and was intended to be awarded on the basis of this total price.

There were eight bids submitted as follows:

Pilot Construction, Inc., Burtonsville, MD	\$58,245.00
Zenoble Construction, Inc., Laurel, MD.	61,156.00
Pleasant Excavating Co., Inc., Clarksburg, MD	66,012.00
Heinsohn & Grassman, Inc., Clinton, MD	67,605.00
White Oak Construction, Inc., Silver Spring, MD	70,875.00
Underground Construction Co. of VA, Inc., Fairfax, VA	82,020.00
Concrete General, Inc., Rockville, MD	99,390.00
Rapp Contracting, Inc., Beltsville, MD	102,540.00
Engineer's Estimate	\$67,500.00

The low bidder, Pilot Construction, Inc., has contracted with the City on prior bids and has always performed in a satisfactory manner, and staff recommends that Pilot Construction, Inc., be awarded the contract in the amount of \$58,245.00.

On motion of Councilman Tyner, duly seconded and unanimously passed, Bid No. 7-81 for Storm water management was awarded to the Pilot Construction Company in the amount of \$58,245.00.

Re: Award of Contract: Bid No. 62-80  
Step van

Bids were opened in the Council Chambers, City Hall, at 3:00 p.m., on July 22, 1980, for one step-van to house TV camera and crew for inspecting sewer lines.

The bids were as follows:

Oursiman Chevrolet Co., Marlow Heights, MD	\$9,600.00
Watkins-Burdette Dodge Co., Frederick, MD	12,429.41
Boyertown Auto Body Works, Boyertown, PA	14,603.44
Brown's Tyson's Corner Dodge, Vienna, VA	15,745.00
Chevy Chase Chevrolet, Bethesda, MD	15,980.00
Pallone Chevrolet Co., Springfield, VA	22,851.28

The vehicle offered by Ourisman Chevrolet Company does not meet specifications in several categories such as wheelbase, gross vehicle weight, emergency lights, etc. The amount budgeted in the program area of Environment under the category of Sewage Collection was \$13,200.00. The staff recommends an award to the low bidder meeting specifications, Watkins - Burdette Company for \$12,429.41.

On motion of Councilman Abrams, duly seconded and unanimously passed, Bid No. 62-80, for Step-van, was awarded to Watkins-Burdette Dodge Company, in the amount of \$12,429.41.

Re: Award of Contract: Bid No. 10-81,  
Pavement, Ritchie Parkway

Bids were opened in City Hall at 3:00 p.m., on Thursday, August 14, 1980, for the construction of Ritchie Parkway between Seven Locks Road and Falls Road. Two bids were received as follows:

F.O. Day Co., Inc., Rockville, Maryland	\$522,596.00
Concrete General, Rockville, Maryland	683,486.50
Engineer's Estimate	586,862.00

The roadway will bisect and provide access to the planned Orchard Ridge Subdivision. Improvements to be provided under this project consist of the construction of two lanes of an ultimate four lane roadway, with additional widening for the accommodation of vehicular turning movements at intersections. The roadway will have concrete curbs and gutters, storm drainage, a four foot wide sidewalk on the south side and an eight foot wide bike path the north side, except at the park area where it will be constructed as part of the park development. Included also is full width (120 feet) grading and drainage. Earthen berms of variable height will ultimately be constructed along each side, except at the park area; however, this contract includes only the berm on the south side. The north side berm will be constructed by the developer as part of his subdivision work. The berms will be planted with trees and shrubbery by the developer, in accordance with plans to be approved by the Director of Recreation and Parks. This contract work will begin immediately and is scheduled to be completed by June 1, 1981.

Special emphasis was placed on saving existing trees, shrubs and other amenities bordering Ritchie Parkway at the existing homes, while at the same time providing the maximum height protective berm. The road was shifted away from the existing homes to the maximum extent to allow as much space as possible to accomplish this objective.

The project was authorized by the Mayor and Council in the capital budget. Project funding will be apportioned between the general fund and Carl Freeman and Associates, developers of the Orchard Ridge subdivision, based on the terms and conditions contained in an agreement between the City and Freeman which was executed in June 1979. The cost apportionment is to be 68% by the Developer, up to a maximum of \$371,895.00 and the remainder by the City. The Developer's cost was based on a 1978 staff construction and engineering estimate of \$548,000.

The F.O. Day Company, Inc., the low bidder has undertaken similar work many times for the City and is very capable of satisfactorily performing the work in this contract.

Staff recommends an award of contract to the Low Bidder, F.O. Day Company, Inc., in the amount of his bid of \$522,596.00.

Mayor pro-tem Fordham asked if this bid included landscaping and how much landscaping. Mr. Goodin explained that the berms will be planted with trees or shrubs. Mr. Blick added that the staff worked with Mr. Freeman, the developer, to do the design for the landscaping. He said he would forward that to the Council.

On motion of Councilman Freeland, duly seconded and unanimously passed, Bid No. 10-81 for Ritchie Parkway Construction, was awarded to F.O. Day in the amount of \$522,596.00.

Re: Award of Contract: Bid No. 11-81,  
Water Transmission Main Extension -  
Milboro Drive to Seven Locks Road

Bids were opened in City Hall at 3:30 p.m., on Thursday, August 14, 1980, for furnishing and installing a 24" diameter water transmission main and related appurtenances in the new Ritchie Parkway between Milboro Drive and Seven Locks Road. Thirteen bids were received as follows:

Taylor Construction Co., Bethesda, MD	\$ 97,514.00
Zenoble Construction, Inc., Laurel, MD	105,434.50
C. F. & B. Inc., & State Construction Corp., Hyattsville, MD	110,619.00
W.F. Wilson & Sons, Inc., Ellicott City, MD	111,121.00
Concrete General, Inc., Rockville, MD	113,229.00
Ennis & Son, Inc., Camp Springs, MD	128,254.00
Heinsohn & Grassmann, Inc., Clinton, MD	129,004.00
Lisbon-Madeira, LTD, Kensington, MD	136,754.00
S. J. Bell Construction Co., Inc., Alexandria, VA	137,920.40
Merkli & Lester, Inc., Haymarket, VA	147,262.16
Landcraft Co., Inc., Alexandria, VA	148,515.50
Rapp Contracting, Inc., Beltsville, MD	149,954.00
Corson & Gruman, Co., Contractors, Washington, D.C.	154,154.00

Engineer's Estimate \$121,270.00

This project will create an additional link in the southern loop of the planned improvements to the water transmission system. The completion of this system is essential to meet the increasing water demands created by development in the southern part of the City. It will also provide needed improvement in fire flows for the sections of the eastern area of the City. In addition, serious flow deficiencies exist in the westend transmission main which feeds

Carr Avenue standpipe. There are plans to improve this main by cleaning and cement lining, however, this cannot be accomplished until the southern loop alternative feed is in place. This loop is rated as the highest priority project in water system capital improvements program.

The project was authorized in the 1977 Capital Budget but could not be constructed until the roadbed of Ritchie Parkway was completed. The original authorization was in the amount of \$96,000. The current cost, allowing for Engineering and Inspection at 16 percent and a small contingency, amounts to \$115,000. The increased cost is accounted for by inflation since the original cost estimate was prepared in 1975.

The staff has provided for coordination of this project contract with the Ritchie Parkway road project. The bid received is very favorable. The contractor, Taylor Construction Company, has satisfactorily completed similar work for the City and WSSC many times.

Staff recommends an award of contract to the low bidder, Taylor Construction Company in the amount of their bid of \$97,514.00 and that the appropriation be increased to \$115,000 to cover the costs of engineering and construction.

Councilman Tyner asked where the funding comes from. Mr. Blick explained from the special assessment fund and the water and sewer capital project fund.

On motion of Councilman Tyner, duly seconded and unanimously passed, Bid No. 11-81 was awarded to the Taylor Construction Company in the amount of \$97,514.00, and the appropriation was increased to \$115,000 to cover the cost of engineering and construction.

Re: Award of Contract: Bid No. 12-81,  
Public Work's Building Roof

Bids were opened in City Hall's Council Chambers on August 19, 1980, at 3:00 p.m. for the Public Works Maintenance Building Roof Improvements. The bids were as follows:

<u>COMPANY</u>	<u>Item I*</u>	<u>Item II**</u>	<u>Item III***</u>
Orndorff & Spaid, Inc. Beltsville, Maryland	\$104,326	No Bid	No Bid
R. D. Bean, Inc., Powdermill, MD	\$117,535	No Bid	\$117,535
C.M.S. Roofing Co., Inc. Bethesda, MD	\$122,348	No Bid	No Bid
Anning-Johnson Co. Springfield, VA	\$135,000	No Bid	No Bid

\*Item I - Roofing improvements and a 10-year manufacturer's labor and materials guarantee

\*\*Item II - Roofing improvements and a 15-year manufacturer's labor and materials guarantee

\*\*\*Item III - Roofing improvements and a 10-year manufacturer's labor and materials guarantee and a 15-year manufacturer's materials guarantee

The bid is to contract for roofing improvements to the Public Works Maintenance Building. The work generally includes the removal of the old roofing and flashing materials down to the metal decking and replace it with a vapor barrier sheet, 3.2" of composite board insulation, and a single membrane elastic vinyl sheet roof, walking treads and flashing, with an approximate insulation value of R-20.

To clarify the differences between the roof guarantees in Item I and Item III is simply that the guarantees are the same, but Item III provides 5 additional years warranty on the roofing materials only. The warranty in Item I is adequate and it would not be cost effective to pay an additional \$13,000 for a 5 years additional materials warranty.

The Mayor and Council authorized the replacement of the PWMB roof on May 5, 1980, and also authorized the expenditure for this to be paid from the pay-as-you-go portion of the C.I.P. The Architect's preliminary cost estimate for this project was \$114,980.

The specifications state that the bid will be awarded to the low bidder with respect to the warranty option chosen. After checking references for Orndorff and Spaid, Inc., staff ascertained that they do quality work.

Staff recommends that Bid No. 12-81 be awarded to Orndorff and Spaid, Inc., the low bidder, in the amount of \$104,326.00, to provide roofing improvements to the Public Works Maintenance Building, and that funding for this project be paid from the pay-as-you-go portion of the Capital Improvements Budget.

On motion of Councilman Abrams, duly seconded and unanimously passed, Bid No. 12-81 was awarded to Orndorff and Spaid, Inc., in the amount of \$104,326.00.

Re: Award of Contract: Bid No 13-81  
Janitorial Services, City Hall  
Woolworth Building

Bids were opened in the Council Chamber at 4:30 p.m. on August 19, 1980, for janitorial service at City Hall and at the Woolworth Building.

The bids were as follows:

<u>Company</u>	<u>Monthly Fee</u>
Frazier Company, Rockville, Maryland	\$ 1,000.00
Abacus Corp., Baltimore, Maryland	1,674.00
G & R Maintenance Service, Landover, Maryland	1,700.00
Potomac Building Maintenance Co., Bethesda, Maryland	1,755.00

The bidder furnishes labor and materials for janitorial service at both buildings. In addition he furnishes janitorial service on weekends at the Police Department.

Staff recommends an award of bid to the low bidder, Frazier Company, of Rockville, Maryland, in the amount of \$10,000 for the 10 months remaining in FY 81, September 1, 1980 through June 30, 1981. The FY 81 budget includes \$17,550 for this service, based on the current monthly rate of \$1,755.

On motion of Councilman Tyner, duly seconded and unanimously passed, Bid No. 13-81 was awarded to the Frazier Company in the amount of \$10,000 for the remainder of FY 81.

Re: Adoption of Ordinance: To Authorize  
public improvements for construction  
of Gude Drive from Research Blvd.  
to State Route 355

#### Ordinance No. 26-80

Councilman Tyner asked what process will now be followed and the City Manager explained the preparation of the preliminary proposal for review and the meetings with the neighborhood for their reactions and then the final selection of alternatives by the Council. Mr. Goodin added that the final design should be completed by June of 1981 and construction underway in September. Councilman Tyner suggested that the staff look to alternatives and suggestions and send letters to all residents both those abutting and those who might be interested. Mayor pro-tem Fordham said she is concerned over the cost sharing with the County and asked if it were a sharing of the road or the entire project. She asked that the written agreement be checked. The City Manager said the estimates, and the time table were all included in the original agreement, but the City is far behind at this time.



Mayor pro-tem Fordham said she plans to ask the County Executive to pick up a portion of the cost for additional landscaping. Councilman Freeland said he spoke to both the County Council and the County Executive and they will accept any reasonable changes and include them in their budget review. Mayor pro-tem Fordham cautioned the City Manager on his method of contacting the neighborhood and suggested that he not limit his contacts.

On motion of Councilman Freeland, duly seconded and unanimously passed, Mayor pro-tem and all Councilmembers voting aye, Ordinance No. 26-80, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council authorizing the Gude Drive project was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To  
Authorize public improvements  
for construction of Research Blvd. -  
north of Rt. 28 to south Shady  
Grove Road.

Ordinance No. 27-80

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance No. 27-80, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, approving the construction of Research Blvd., was adopted by the Mayor and Council.

Re: Citizen's Forum

The Mayor pro-tem opened the meeting to those citizens who wished to address the Mayor and Council.

1. Tim Ford of State Equipment Company. Mr. Ford addressed the Council concerning Bid No. 3-81. He said his company is the low bidder and that all the specifications on the proposal were met. He said one of the subjects addressed was the transmission and it was explained to the Council that the transmission of the low bidder was a deviation. He told the Council that the bid was awarded to a bidder who did not meet the specifications on the transmission as requested in the proposal. Mayor pro-tem Fordham asked the director of Public Works to prepare a memo on the information presented and bring it back to the Council for further investigation.

2. Jerry King of the Vernon Stup Company, Frederick, Maryland. Mr. King said he is here this evening to back up those comments made by the previous speaker, Mr. Ford. Although his company was an unsuccessful bidder for the backhoe, the bid was awarded to the same vehicle that his company sells and although it was stated earlier this evening that the vehicle met the specifica-

tions, he showed the Council a catalog listing of specifications proving that the award winning tractor does not meet the specifications. Mayor pro-tem Fordham suggested that both of these gentlemen meet with the Director of Public Works and the Public Information Officer to get the facts in order.

3. Mansfield Kaseman, 704 Carter Road. Rev. Kaseman spoke to the Council and told him that he applauded their call for a housing conference on October 18. He said he is sure that with the concern shown and the enthusiastic approach, there will be good results. He recommended a plan of different stages to get the most from the seminar and not raise false expectations. He submitted several names to the Council who might be consulted for the seminar. The Council thanked him for his information.

4. Dominic Calentionio, 315 Baltimore Road. Mr. Calentionio told the Council that he planted a Norway maple tree 22 years ago in his yard and yesterday City crews came and cut the tree back unmercifully. He said they had no permission to trespass on his property. He complained to a City worker who said they were authorized to do the cutting under a state permit. He said they failed to paint the cuts and left stubs. The City Manager said he would get a report back to the Council on this.

5. Michael Parnes, 503 College Parkway. Mr. Parnes told the Council he works at 414 Hungerford Drive and he is concerned over a planned public shooting gallery to be located at the one-stop shopping center beneath the Peoples Drug Store. Mr. Davis explained that there is nothing that can be done since this is legal in the TCM-1 Zone of the zoning ordinance. Mr. Titus explained to the Council that the shooting of fire arms in the City limits is specifically forbidden unless a permit is received from the City Manager. Mayor pro-tem Fordham thanked the staff for the clarification and explained it to Mr. Parnes.

There being no other citizen wishing to be heard the Mayor pro-tem closed the citizen's forum portion of the meeting.

Re: Review of Agenda for Forum on Housing  
Issues, October 18, 1980

Mayor pro-tem Fordham invited comments from the Council. Councilman Tyner's main problem was the fact that there may not be enough time to take on such an ambitious schedule. He suggested that the staff compile all the information for the Council ahead of time so that it would not be necessary to spend time that day in briefings. Councilman Abrams said he viewed it as a starting point and a vehicle for current and new thinking. He said he is specifically concerned

with financial considerations that determine housing patterns and direct or indirect financing. He also mentioned two of the names proposed that were of particular interest to him. Councilman Freeland agreed that the list of potential speakers is an excellent one, and one would be interested in listening to them. He agreed it is a good start and he suggested maybe laying out a plan of steps 2, 3, and 4 before going to this meeting, but he said he entirely supports what is before him. Mayor pro-tem Fordham said she would consider the idea of future dates. Council agreed that the meeting would not be generally advertised but would be open to the public. Councilman Tyner suggested more than the lecture or presentation series it be truly a round table so the people can sit and discuss the matters. It was the consensus of the Council that Mr. Duffy proceed with the schedule as shown.

Re: Review of testimony for Bloomington  
Dam project

This is a project proposed by the Washington Suburban Sanitary Commission and there will be a cost allocation procedure for Potomac River users. The purpose of the Bloomington Dam water supply storage is to augment low river flows. The rationale for recommending Rockville be assessed on the basis of withdrawals rather than consumption is that this is legally all the City is responsible for. The City is recommending the adoption of the payment of portionment method proposed by David R. Scott, Chairman of the WSSC, which proposes the City of Rockville being assessed at \$2,392.

The Council approved the testimony to be given on September 9 at the public hearing.

Re: Receipt and referral of report on  
City's sign ordinance

Mr. Davis, Director of Planning, explained the report to the Council. Councilman Abrams suggested that in addition to the Commissions who will be receiving it, that it also be forwarded to sign companies and local offices of sign company associations. The City Manager suggested that 60 days would certainly be enough time for boards and commissions to get comments back to the Council. The Planning Department was complimented on the report and thanked by the Council.

Re: Approval of joint COG/City Transportation system management planning program

The Planning Director has successfully secured a commitment from COG to assist the City in a micro-transportation planning program and in the development of a transportation system management (TSM) program.

Staff recommends that the Mayor and Council authorize the City Manager to advise the Council of Governments that of enthusiastic approval and support the joint COG-City transportation system management planning program.

On motion of Councilman Abrams, duly seconded and unanimously passed, the transportation program was enthusiastically approved by the Council.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Brian Kennedy, re code compliance
2. J. K. Jones, re returnable container legislation
3. Montgomery County re Cable Television
4. Mary Lynn Scott, re Board of Appeals case
5. Cong. Spellman, re cost-of-living increases for federal employees

Councilman Freeland asked who and what generated a letter or a message to Mrs. Spellman concerning cost-of-living increases. He said he would very much like to see a copy of it. Mayor pro-tem Fordham said it was completely out of order for the Mayor and Council to comment since several of them are federal employees. She asked the City Clerk to please check with Mayor Hanna and get more information on this.

6. D. Freishtat, Esq., re waiver of filing fees

Councilman Freeland suggested this be brought forward on the Mayor and Council agenda.

Re: Information Items

1. MML Agenda and minutes
2. Wall Street Journal article re tax-exempt housing
3. Copy of response from Public Service Commission re rate increase case.
4. Notice of license hearing

Mayor pro-tem Fordham asked this location. She told the City Manager unless the Police Chief has a problem with this there will be no opposition reflected.

5. Copy of City Manager's letter to West End Civic Association re opening of North Street to vehicular traffic

6. Copy of letter to Traffic and Transportation Commission from new Chairman Councilman Tyner suggested that the Council might like to meet with the Traffic and Transportation Commission and discuss their program. Mayor pro-tem Fordham instructed the City Clerk to invite the Traffic and Transportation Commission to the Mayor and Council meeting on September 15 and place it on the agenda.
7. Copy of County response to citizen's complaint
8. Copy of RUMC letter to City Manager - follow up to Academy meeting
9. Notice to participants re PEBSCO interest rate increase
10. Newsletter article on Tuck

Mrs. Fordham said it would be most appropriate for the City to send a gift to the Mayor since he is leaving the City. The Council agreed that a Rockville flag should be sent.
11. Copy of Lincoln Park Community Newsletter
12. Copy of letter from WMATA to Progressive Citizens Association re crossing difficulties at Frederick Avenue
13. Memo re neighborhood problem
14. Memo re Twinbrook Day Care Program

Councilman Tyner thanked the staff for the work done on this and he said he had passed the information on to the parents in the neighborhood and that the \$6,950 contingency in the 1981 budget for an Extended Day program at Twinbrook should be released for other purposes. The Council agreed.
15. Memo from Assistant City Manager re HUD workshop
16. Memo re National Main Street project

Re: New Business

1. The Council discussed the backhoe bid that was awarded earlier in the evening. Mayor pro-tem Fordham passed on the City Attorney's comments that if Council was not satisfied with the award they should move for reconsideration. The purchasing agent addressed the Council and told of his problems with this bid. Councilman Freeland originally moved for reconsideration and then withdrew his motion. He said the Council should not allow situations like this to occur and be quibbling over technicalities. He suggested Mr. Malkin in the future might recommend a change in procedures for the Council to follow. After more discussion on the item with Mr. Malkin, Councilman Abrams moved for reconsideration of the bid. The motion was seconded by Mayor pro-tem Fordham, who stepped down from the Chair to do so. It was Mrs. Fordham's feeling that some questions were raised this evening that were relatively serious and more time should be taken to consider the answers.

The motion failed to pass with Councilmembers Freeland and Tyner voting nay and Mayor pro-tem Fordham and Councilman Abrams voting aye.

2. Mayor pro-tem Fordham showed the Council a request from Thomas Anderson, Attorney, enclosing a re-zoning application and requesting a fee waiver. She asked the City Manager for his comment. The City Manager said he had not seen this and did not know of it. Mayor pro-tem Fordham asked that it be held for a future agenda. The Council agreed it could be placed on the agenda on September 15.

Re: Executive Session

On motion of Councilman Abrams, duly seconded and unanimously passed, the meeting was closed for executive session to discuss property disposition.

Re: Adjournment

There being no further business to come before the Council in executive session, the meeting was adjourned at 10:45 p.m. to convene again in general session on Monday, September 15, 1980, at 8:00 p.m., or at the call of the Mayor.